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OCT 25 1996  
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October 21, 1996

William F. Caton, Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

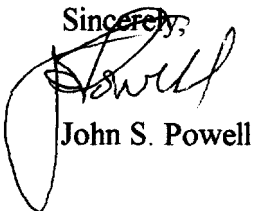
Secretary Caton:

Earlier today you should have received by courier an original and nine (9) copies of my Comments on WT Docket 96-86. In reviewing my file copy, it appears my staff included draft pages for the final two pages of the document (pages 25 and 26) rather than the final submission.

Attached are replacement pages, again an original and nine copies, to be circulated as replacements. Importantly, the last page now properly contains my signature for this submission.

I am sorry for any inconvenience this may have caused. Should you have any questions, please call me at the above number.

Sincerely,



John S. Powell

JSP:ka

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

RECEIVED

OCT 25 1996

In the Matter of

FCC MAIL ROOM )

The Development of Operational, Technical, and )  
Spectrum Requirements for Meeting Federal, State )  
and Local Public Safety Agency Communications )  
Requirements Through the Year 2010 )

WT Docket 96-86

To: The Commission

**COMMENTS OF JOHN S. POWELL**

These comments are being submitted by a twenty-three year veteran police sergeant who "works the street" each shift supervising officers on a major public university campus in the metropolitan Eastbay area of San Francisco, California. I am concerned that my staff has access to state-of-the-art technologies, coupled with

**COVER PAGE FOR CORRECTIONS ONLY**

*Remove pages 25 and 26 from original Comments and substitute attached replacement pages*

they will release significant amounts of current spectrum to allow smaller agencies the room they need to expand within existing bands.

In paragraph 92, the Commission raises the possibility that current public safety spectrum might be vacated and sold at auction with the revenues used to finance the migration to new public safety spectrum. This issue was specifically addressed by commercial members of PSWAC with respect to the 800 MHz band. It was their opinion that the value of that spectrum based on current auction revenues did not even closely approach the value of the embedded equipment base. Considering that this is the newest public safety band, it is probable that the results of a similar study of other public safety spectrum would yield the same results.

#### F. Competition In The Supply of Goods & Services

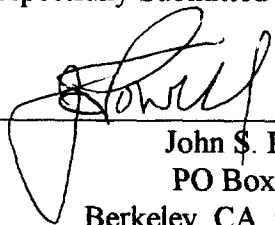
In paragraph 100, and as an addendum to this Notice, the Commission asks specific questions with respect to APCO Project 25. While many of these questions will be answered in a separate filing by the Project 25 Steering Committee, I reiterate my view that has been often-expressed in interviews and articles I have authored that Project 25 has served to enhance competition in the public safety equipment and services market. As an example, I cite the entry of Garmin International, an American-owned company with manufacturing facilities located in the United States, into the public safety market. Garmin began in the mid-1980s as a small company in the Global Positioning Satellite System (GPSS) market. Because of the GPSS standard, they are today one of the leading providers of GPSS-based avionics equipment. In fact, their recently released portable unit which combines a high-end GPSS receiver with a VHF aircraft radio is in considerable demand in the private avionics market. In a public presentation at the 1996 APCO Annual Conference and Exposition in San Antonio, a Garmin representative indicated that the only way they could enter the land mobile radio field as a Project 25 equipment manufacturer was because of the Project 25 standards which provided a level

playing field. It should be noted that seven companies have reportedly obtained sufficient license agreements to produce Project 25 equipment: E. F. Johnson, Motorola, Daniel's Electronics, BK Radio, Garmin International, Stanilite, and Transcript International. Four of those companies demonstrated fully interoperable Project 25 equipment at the same APCO Conference & Exposition.

G. Conclusions

The Commission must take immediate and decisive steps to ensure that public safety agencies will have the required spectrum, systems and support needed to effectively and efficiently protect and serve the public. To that end, the Commission must implement the recommendations of the PSWAC Final Report. A failure by the Commission to take these steps will result in a public safety communications crisis that threatens the lives of public safety officers and the citizens of this great nation.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "J. Powell", is written over a horizontal line.

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